

**WHITEMARSH TOWNSHIP BOARD OF SUPERVISORS
PUBLIC MEETING MINUTES
May 24, 2018**

A Regular Monthly Meeting of the Whitemarsh Township Board of Supervisors was called to order on Thursday May 24, 2018 at 7:00PM in the Whitemarsh Township Building, 616 Germantown Pike Lafayette Hill, Pennsylvania.

Supervisors Present: Amy Grossman, Chair; Missy Sterling, Vice Chair; Michael Drossner and Laura Boyle Nester

Supervisors Absent: Fran McCusker

Also present: Richard L. Mellor, Jr., Township Manager; Sean P. Kilkenny, Township Solicitor; James C. Sullivan, P.E.; and Charles L. Guttenplan, AICP

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS

Supervisor Sterling announced:

Save the date for the annual 4th of July Parade. This year, the parade falls on a Wednesday. Registration forms for those interested in participating in the parade are currently on the Township website.

The Parks & Recreation Department's Summer Movies in the Parks schedule is now available on the Township website. Movies include Despicable Me 3, Jumanji, and Ferris Buller's Day Off, so don't miss out!

Montgomery County is holding a tire collection event on Saturday, June 9th at the Montgomery County Community College from 9 am to noon. This event is free for County residents.

The Board of Supervisors thanked the Park and Recreation Department as well as all of the other Staff for putting on a wonderful Township Day. They thanked the school district for allowing the Township to use Victory Fields.

APPROVAL OF MINUTES

1. April 26, 2018

On a motion by Supervisor Sterling, seconded by Supervisor Drossner (Vote 5-0) the Board of Supervisors approved the April 26, 2018 meeting minutes.

BOARD PUBLIC DISCUSSION ITEMS

1. #03-14; Nolen/505A Germantown Pike – Conditional Final Plan

Mr. Guttenplan explained SLD #03-14, Westaway, 505 Germantown Pike (Lafayette Hill), Final Plans are for 9 townhouses and 4 single-family homes. Conditional preliminary plan approval was granted at the August 2017 meeting. The front portion of this site is zoned VC-1 and the rest of the site is zoned A — Residential; the townhouse portion is therefore governed by the VC-1 District and the single-family homes and the remainder of the site are governed by the A — Residential District. The applicant elected to develop the single-family portion using the Conservation Design Overlay District regulations. The townhouse portion, in addition to being governed by the VC-1 regulations, has been designed to meet several design-related conditions imposed as part of the Board's conditional use approval (townhouses are a conditional use in the VC District). The final plans are consistent with the preliminary plans. The Planning Commission reviewed this plan and after a brief discussion, the Commission passed a motion to recommend approval of the final plan. The Commission also requested an agreement that the developer would work with the adjacent property owners to ensure that none of their utility services are cut off during construction of this development.

Marc Jonas, attorney for the applicant, explained the history of the property and the history of the attempts to develop the property.

Resolutions

1. #03-14; Nolen/505A Germantown Pike – Conditional Final Plan

On a motion by Supervisor Drossner, seconded by Supervisor Sterling (Vote 4-1; Supervisor McCusker voting against) the Board of Supervisors adopted Resolution #2018-10 granting conditional Final Plan approval for SLD#03-14; Nolen/505A Germantown Pike for the construction of 9 townhomes and 4 single family homes.

Board Public Discussion (continued)

2. SLD #02-18; Loughran/6112 Sheaff Lane; Conditional Preliminary/Final Plan

Jim Garrity, attorney for the applicant explained SLD #02-18 is application of Joseph E. & Norma Jean Loughran, 6112 Sheaff Lane, Ft. Washington, for a 3-Lot Minor Subdivision. They are seeking a Preliminary/Final Plan approval. Of the 3 lots, only Lot 2 (14+ acres) has an existing home on it. Lot 1 (approximately 2.7 acres) is a proposed rear (or flag) lot and Lot 3 (11+ acres) is an estate lot; a new home could be built on each of these lots though none are proposed as part of this subdivision. Lot width (250 feet in the AAAA — Residential District) is measured at the minimum front yard setback, this cannot be achieved within the access strip of a rear or flag lot; the applicant therefore sought and received several variances to allow this lot configuration. The owners intend to maintain the preferential tax assessment under PA Act 319 on Lot 2; it is currently in force on the entire parcel. Adjacent owners to Lot 1 along Sheaff Lane plan to purchase that lot; they do not plan to build on it nor do they plan to merge it with their existing lot. The Planning Commission reviewed this plan and after some clarification was provided as to the intent for the subdivision and developability of Lot 3 (due to significant environmental constraints), the Commission unanimously passed a motion to recommend preliminary/final plan approval and to recommend that the requested waivers be granted. The Commission's motion further suggested that notes be added to the plan subjecting any future property owner to adherence to the Township ordinances

related to tree removal and replacement and that additional information be added to the plan to show a representative buildable area for prospective buyers on Lot 3.

There was a discussion between the Supervisors and Mr. Garrity regarding the possibility of buildings on the proposed available lots and the impact to the area.

Resolutions (continued)

2. SLD #02-18; Loughran/6112 Sheaff Lane; Conditional Preliminary/Final Plan

On a motion by Supervisor Sterling, seconded by Supervisor Nester (Vote 5-0) the Board of Supervisors adopted Resolution #2018-11 granting conditional Preliminary/Final Plan approval for SLD#02-18; Loughran/6112 Sheaff Lane for a minor 3-lot subdivision.

PUBLIC HEARINGS

1. Conditional Use #06-17 - K. Hovnanian, LLC/4006 and 4046 Butler Pike

The Board of Supervisors continued the Public Hearing for the Conditional Use #06-17 - K. Hovnanian, LLC/4006 and 4046 Butler Pike – Townhouses in the VC-2 Zoning District.

A court reporter was present, and the notes of testimony are available for review at the Township Building.

The following individuals presented information/testimony/comments/questions at the Public Hearing:

Sean P. Kilkenny, Solicitor
 Charles L. Guttenplan, AICP
 Julie L. Von Spreckelsen, Attorney for the Applicant
 Michael D. Fiorentino, Attorney for Objectors Friends of Abolition Hall, Thallmayer, Telegardis and Childs
 David Miller
 Tom Crompton
 Kenneth Amey, Land Planning Consultant

On a motion by Supervisor Sterling, seconded by Supervisor Nester (Vote 5-0) the Board of Supervisors continued the public hearing until Thursday, June 14, 2018 at 7:00PM.

None

ACTION ITEMS

Ordinances

None

May 24, 2018

Resolutions (Continued)

3. Fee Schedule Amendment

Mr. Mellor explained the fees listed in the 2018 Fee Schedule for Leaf Compost Delivery is incorrect and request an amendment of the 2018 Fee Schedule to reflect the correct price of leaf compost delivery at \$12/yard.

On a motion by Supervisor Sterling, seconded by Supervisor McCusker (Vote 5-0) the Board of Supervisors adopted **Resolution #2018-12** authoring the cost for leaf compost delivery at \$12.00 per yard.

Motions

1. Ordinance Advertisement - Comcast Franchise Agreement

Mr. Mellor explained the services of Cohen Law Group to work on behalf of the Township and multiple municipalities on the Franchise agreement that is due to expire. Mr. Mellor provided some of the highlights of the Franchise Agreement. He also explained the Franchise Fee Grant which is a one-time grant in the amount of \$30,000 which will be utilized for the upgrade of WTV. He explained the process to get the ordinance passed, going forward.

On a motion by Supervisor Sterling, seconded by Supervisor Nester (Vote 5-0) the Board of Supervisors authorized the ordinance advertisement for the new Comcast Cable Franchise Agreement.

2. Financial Services Agreement - PFM Financial Advisors LLC

Mr. Mellor explained the engagement letter with PFM Financial Advisors LLC per their request to act as financial advisors for Whitmarsh Township. Their services will be focused on examining refinancing of existing debt, issuance of new debt and how that relates to our current budgetary outcomes. They do not bill the Township on an ongoing basis, but if a transaction is complete they will be paid at settlement based on the type of transaction. This will be a mutually agreed upon fee.

On a motion by Supervisor Sterling, seconded by Supervisor Nester (Vote 5-0) the Board of Supervisors approved the Financial Services Agreement with PFM Financial Advisors LLC to provide financial services in advising the Townships debt and capital borrowing matters.

3. Certificate of Appropriateness - 3047 Spring Mill Road

Mr. Guttenplan explained the Certificate of Appropriateness for consideration is for the replacement retaining wall needed for Sal Paone's 'Maple Hill' development at 3047 Spring Mill Road (Plymouth Meeting). The applicant has worked with HARB over the last several meetings to come up with the most appropriate design which will have an appearance reminiscent of the wall along Spring Mill Road that needs to be removed to allow for improved sight distance. An E P Henry "Coventry Wall" in a pewter color has been proposed and recommended for approval by HARB at their May 16th meeting (among the attachments is a portion of a brochure showing this wall type). This wall will be further back from the road

and therefore closer to Dr. Corson's estate home, which is one of the historic buildings being retained on the property.

On a motion by Supervisor Sterling, seconded by Supervisor Nester (Vote 5-0) the Board of Supervisors approved the Certificate of Appropriateness for a new retaining wall at 3047 Spring Mill Road.

4. Certificate of Appropriateness - 3144 Spring Mill Road

Mr. Guttenplan explained the Certificate of Appropriateness is for 3144 Spring Mill Road (also Plymouth Meeting) for a post and rail fence in the rear yard and a deck on the back of the home. This property has a new house that is currently being completed; this is the lot created as a result of Ed and Deborah Guie's minor subdivision in 2016. The owners were granted a Certificate of Appropriateness for the house but had not finalized their plans for these features at that time. HARB recommended approval of these improvements as proposed.

On a motion by Supervisor Sterling, seconded by Supervisor Sterling (Vote 5-0) the Board of Supervisors approved the Certificate of Appropriateness for a new deck and fence at 3144 Spring Mill Road.

5. Appointment – Boards and Commission

On a motion by Supervisor Drossner, seconded by Supervisor McCusker (Vote 5-0) the Board of Supervisors appointed Mark Cratin to the Media and Communications Advisory Board with a term ending December 31, 2018.

6. April 2018 Expenditures and Payroll and Pension Plan Paid Costs

On a motion by Supervisor Sterling, seconded by Supervisor Drossner (Vote 5-0) the Board of Supervisors approved expenditures totaling \$1,063,661.63; payroll totaling \$667,747.75 and pension paid costs totaling \$12,663.92 for April 2018.

PUBLIC COMMENT PERIOD

BOARD MEMBER COMMENTS

None

ANNOUNCE EXECUTIVE SESSION

Chair Grossman announced the Board of Supervisors held an Executive Session prior to the meeting to discuss Litigation.

ADJOURNMENT

On a motion by Supervisor Drossner, seconded by Supervisor Sterling, the meeting was adjourned at 9:30 PM.

Respectfully submitted,

Richard L. Mellor, Jr.
Township Manager

May 24, 2018